

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JANE DOE,

Plaintiff,

v.

**Civil Action 2:22-cv-855
Judge Edmund A. Sargus, Jr.
Magistrate Judge Chelsey M. Vascura**

ATHENS COUNTY, *et al.*,

Defendants.

ORDER

This matter is before the Court on Defendant Deborah Bellar’s Addition to Motion to Stay (ECF No. 57). Therein, Ms. Bellar seeks to provide “additional just cause” to support her Motion to Stay, filed October 6, 2022 (ECF No. 55). The Court already denied Ms. Bellar’s Motion to Stay on October 12, 2022, because the grounds she articulated to support a stay do not extend beyond the circumstances that any incarcerated litigant would face (ECF No. 56). It is unclear whether Ms. Bellar received the Court’s October 12, 2022 Order denying her Motion to Stay prior to placing her most recent filing in the mail. But in any case, the additional information in Ms. Bellar’s Addition to Motion to Stay does not persuade the Court that a stay is warranted at this time. Ms. Bellar states that material evidence in her defense cannot be sent to her “due to its contents and/or form,” but does not explain what the evidence is or what about its contents or form prevent her from receiving it in prison. She also re-states her previously-rejected argument that she faces difficulties in contacting and interviewing witnesses. As stated in the Court’s October 12, 2022 Order, these are the same circumstances that would be faced by

any incarcerated litigant and do not justify postponing the resolution of Plaintiff's claims for more than two and a half years until Ms. Bellar's anticipated release date. The undersigned therefore finds that a stay would be inappropriate in this case. *See A F.T.C. v. E.M.A. Nationwide, Inc.*, 767 F.3d 611, 626-27 (6th Cir. 2014) (quoting *Ohio Envtl. Council v. U.S. Dist. Court, S. Dist. of Ohio, E. Div.*, 565 F.2d 393, 396 (6th Cir. 1977) (holding that "the District Court has broad discretion to stay proceedings as an incident to its power to control its own docket.")).

Accordingly, Defendant Deborah Bellar's Addition to Motion to Stay (ECF No. 57) is **DENIED.**¹

IT IS SO ORDERED.

/s/ *Chelsey M. Vascura*
CHELSEY M. VASCURA
UNITED STATES MAGISTRATE JUDGE

¹ To the extent Ms. Bellar is concerned about meeting her obligations to jointly submit a Rule 26(f) form in advance of the November 7, 2022 Preliminary Pretrial Conference, the Court expects counsel for one or more of the represented parties to file the form on behalf of all parties after they have conferred pursuant to Federal Rule of Civil Procedure 26(f).